AMENDMENTS

Listing of Claims:

The following listing of claims replaces all previous listings or versions thereof:

1-7 (Canceled)

8. (Currently amended) A transgenic fish comprising a chimeric gene comprising a promoter that drives the expression of a structural gene predominantly in muscles of said fish, said promoter being ~~a muscle creatine kinase gene promoter, or~~ a fast skeletal muscle isoform of myosin light chain 2 gene promoter which includes the sequence of SEQ ID NO:22, wherein the transgenic fish contains said promoter in germ cells and/or in somatic cells and which is capable of breeding with either a said transgenic fish or a non-transgenic fish to produce viable and fertile transgenic progeny.

9. (Canceled)

10. (Currently amended) The transgenic fish of claim 8, further comprising a fluorescent protein gene under control of said promoter.

11. (Currently amended) The transgenic fish of claim 10, wherein said fluorescent protein is expressed ~~a level~~ at a level sufficient that said fish fluoresces upon exposure to sunlight.

12. – 18. (Canceled)

19. (Previously Presented) The transgenic fish of claim 10, further defined as an ornamental fish for the ornamental fish market, which contains said promoter in germ cells and/or in somatic cells and which is capable of breeding with either a said transgenic fish or a non-transgenic fish to produce viable and fertile transgenic progeny.

20. (Previously Presented) The transgenic fish of claim 10, wherein said fish and progeny of said fish emits green fluorescence when the whole fish is exposed to a blue or ultraviolet light.

21. – 22. (Canceled)

23. (Previously presented) The transgenic fish of claim 10, wherein the fish comprises a zebrafish muscle creatine kinase gene promoter which is capable of directing a structural gene to be specifically expressed in muscles when it is inserted in front of the structural gene and introduced into fish embryos.

24. – 29. (Canceled)

30. (Previously presented) The transgenic fish of claim 10, further defined as a zebrafish.